

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:21-00126

JACOB CORNELIUS HALL

**MEMORANDUM OPINION AND ORDER**

Pending before the court is defendant's second motion to continue the trial and related dates in this matter. (ECF No. 33). In support of defendant's motion, counsel for the defendant states that he needs additional time to review the discovery provided and make decisions regarding expert witnesses and further discovery. Defendant requests a continuance of ninety days. The government does not oppose defendant's motion.

Because failure to grant the requested continuance would likely result in a miscarriage of justice, the court finds that the ends of justice outweigh the best interest of the defendant and the public in a speedy trial, see 18 U.S.C. § 3161(h)(7)(A), and **GRANTS** defendant's motion to continue. In deciding to grant defendant's motion, the court considered the factors outlined in 18 U.S.C. §3161(h)(7)(B) and found that failure to grant the continuance would deny counsel for the defendant the reasonable time necessary to effectively prepare for trial, taking into account the exercise of due diligence.

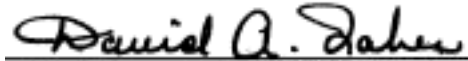
Accordingly, the court hereby **ORDERS** as follows:

1. Trial of this action is continued until April 6, 2022, at 9:30 a.m., in Charleston. Proposed jury instructions should be filed no later than March 30, 2022;
2. All pretrial motions are to be filed by March 14, 2022;
3. A pretrial motions hearing is scheduled for March 21, 2022, at 11:30 a.m., in Charleston;
4. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time from the filing of defendant's motion until the trial is excludable for purposes of the Speedy Trial Act.

The Clerk is directed to send a copy of this Order to counsel of record, the United States Marshal for the Southern District of West Virginia and the Probation Office of this court.

**IT IS SO ORDERED** this 1st day of December, 2021.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber  
Senior United States District Judge